

### **REMARKS**

No new matter is added by this amendment. The present application was filed on September 12, 2003 with original claims 1-105. By this amendment claims 1, 5, 53, 55, and 56 have been amended and new claims 106-110 have been added. Claims 20-30 and 74-77 stand withdrawn. Claims 1, 53 106, and 107 are independent claims. Reconsideration is respectfully requested.

Independent claim 1 was provisionally rejected under the judicially created standard of non-statutory obvious type double patenting over claim 1 of several commonly assigned, co-pending applications in view of U.S. Patent 6,712,695 issued to Mothwurf. Applicants believe that the provisional obvious type double patenting rejections combining Morthwurf with commonly assigned co-pending applications are improper. However, Applicants respectfully assert that independent claim 1 as amended is patentably distinct from the independent claim 1 of the cited commonly owned co-pending applications. Specifically, claim 1 of each of the commonly assigned, co-pending applications are not directed toward a remote system which allows a user to process a jackpot as set forth in amended claim1. Therefore, Applicants respectfully request that the provisional obvious type double patenting rejections be withdrawn.

The Examiner objected to claims 3, 55 and 56 for a number of informalities. Claims 3, 55 and 56 have been amended to correct the deficiencies noted by the Examiner.

Claim 5 was rejected under 35 U.S.C. §112 second paragraph as being indefinite. Dependent claim 5 has been amended to correct the deficiency noted by the Examiner.

The Examiner indicated that claims 64 and 80-83 contained allowable subject matter. This is noted with appreciation. Dependent claim 64, including independent claim 1 and any intervening claims, has been rewritten as new independent claim 106. Dependent claims 80-83 have been rewritten as claims 107-110, including the limitations of independent claim 53 and any intervening claims. Therefore, applicants respectfully assert that new claims 106-110 are allowable.

Independent claim 1 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,712,695 issued to March 30, 2004 to Ewald Mothwurf et al. ("Mothwurf").

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This rejection is respectfully traversed. Independent claim 1 has been amended to more accurately define the subject matter Applicants consider as the invention.

Amended independent claim 1 sets forth a remote system for use with a gaming system. The gaming system has at least one gaming machine capable of issuing a jackpot, a host computer couple to the at least one gaming machine by a network. The host computer includes a database for maintaining jackpot information relating to the at least one gaming device. The remote system includes a remote device and a remote network interface. The remote device receives data and is embodied in a mobile computer which may be carried by a user. The remote network interface is couple to the remote device for exchanging the data between the host computer and the remote device. The data includes jackpot information related to a jackpot awarded to a player of the at least one gaming machine. The remote device allows the user to use the data to process the jackpot.

Mothwurf does not disclose a remote device embodied in a mobile computer which may be carried by a user and which allows the user to use data to process the jackpot as required by amended independent claim 1. Therefore Applicants respectfully assert that Mothwurf does not include at least one element of amended independent claim 1 and therefore the §102(e) rejection is improper and must be withdrawn.

Claims 2-5 were rejected under 35 U.S.C. §103 as being unpatentable over Mothwurf in view of U.S. Patent 6,712,698 issued March 30, 2004 to Craig A. Paulsen et al. ("Paulsen"). This rejection is respectfully traversed. The Examiner utilizes Paulsen to show a remote device with a wireless connection. However Paulsen does not disclose a remote device, embodied in a mobile computer which may be carried by a user, which is utilized in processing a jackpot as required by amended independent claim 1. Claims 2-5 are ultimately dependent upon independent claim 1 therefore for the reasons set forth above Applicants respectfully assert that claims 2-5 are allowable.

Claims 6-15 were rejected under 35 U.S.C. §103(a) as being patentable over Mothwurf and Paulsen in view of U.S. Patent 6,240,444 issued to Fin et al. This rejection is respectfully traversed. Claims 6-15 are ultimately dependent upon allowable independent claim 1. Examiner uses Fin to teach a remote device having a web client for interaction with the user. However Fin does not overcome the deficiencies of Mothwurf

and Paulsen. Therefore Applicants respectfully assert that dependent claims 6-15 are allowable over the cited references.

Claims 16-19, 31-63, 65-73, 78, 79 and 84-105 were rejected under 35 U.S.C. §103 as being unpatentable over Mothwurf, Paulsen and Fin in view of U.S. Patent 6,681,984 issued on January 27, 2004 to Ronld Brunner ("Brunner"). This rejection is respectively traversed.

Brunner discloses a method used to pay jackpots using cash and to track cash used to perform cash fills. Brunner does not include overcome the deficiencies of Mothwurf, Paulsen, and Fin. For example, neither Mothwurf, Paulsen, Fin nor Brunner teach or disclose a remote device, embodied in a mobile computer which may be carried by a user, which is utilized in processing a jackpot as required by amended independent claim 1.

Claims 16-19, and 31-52 are ultimately dependent upon allowable claim 1. For the reasons set forth above, and based on their own merits, applicants respectfully assert that dependent claim 16-19 and 31-52 are allowable over 1 Mothwurf, Paulsen, Fin and Brunner.

Amended independent claim 53 sets forth a method for processing a jackpot for use with a gaming system. The gaming system has at least one gaming machine capable of issuing the jackpot. The method including the steps of "sending a selectable form to a remote device embodied in a mobile computer which may be carried a user" and "selecting data from the form, by the user, on the remote device for processing the jackpot".

As discussed above, neither Mothwurf, Paulsen, Fin nor Brunner, singularly or in combination, disclose "a remote device embodied in a mobile computer which may be carried a user" which may be used by the user to process a jackpot.

Since the cited prior art does not include one or more limitations of amended independent claim 53, applicants respectfully assert that the §103(a) rejection is improper and must be withdrawn.

Claims 54-63, 65-73, 78, 79, and 84-105 are ultimately dependent upon allowable independent claim 53. For the reasons set forth above, and based on their own merits, applicants respectfully assert that dependent claims 54-63, 65-73, 78, 79, and 84-105 are also allowable.

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The Examiner objected to the specification because of an informality. The informality has been corrected.

All of the Examiner's objection and rejections having been successfully traversed and/or made moot, applicants respectfully assert that the present application is now in condition for allowance. An early Notice of Allowance is respectfully requested.

The Commissioner is hereby authorized to charge the fee associated with a one-month extension of time to Deposit Account 08-2789 in the name of Howard & Howard Attorneys. Applicant believes that no additional fees are due, however, if any become required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account 08-2789. Further and favorable reconsideration of the outstanding Office Action is hereby requested.

Respectfully submitted

**HOWARD & HOWARD ATTORNEYS, P.C.**

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Date

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